

# STATE OF NORTH CAROLINA

File No.

\_\_\_\_\_ County

In The General Court Of Justice  
Superior Court Division

Name Of Plaintiff(s)

Name And Address Of Plaintiff's Attorney (Or Pro Se Plaintiff's Address)

Telephone No.

FAX No. (if applicable)

Plaintiff's Attorney's Email Address (Or Pro Se Plaintiff's Email Address)

**VERSUS**

Name Of Defendant(s)

Name And Address Of Defendant's Attorney (Or Pro Se Defendant's Address)

Telephone No.

FAX No. (if applicable)

Defendant's Attorney's Email Address (Or Pro Se Defendant's Email Address)

## DESIGNATION OF MEDIATOR IN SUPERIOR COURT CIVIL ACTION

**NOTICE:**

Plaintiff's attorney should check and fill out only one of the two Sections, **sign below**, and return to the Senior Resident Superior Court Judge within 21 days after the date of the Order for Mediated Settlement Conference **and distribute copies as noted below**

G.S. 7A-38.1; Rule 2 of Mediated Settlement Conferences

Deadline For Completion Of Mediated Settlement Conference

Tentative Trial Date

 **SECTION 1 - NOTICE OF SELECTION OF CERTIFIED MEDIATOR BY AGREEMENT**

The above named case was referred to a mediated settlement conference. The parties have selected the mediator named below who has agreed to serve in this case and is certified pursuant to the Rules Of Mediated Settlement Conferences.

Name And Address Of Certified Mediator

Telephone No.

FAX No. (if applicable)

Mediator's Email Address

bob@mnlaw-nc.com

The parties and the mediator have agreed upon the mediator's rate of compensation as follows: *(specify all terms of the compensation agreement.)*

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**NOTE:** As an aid to mediator selection, the NC Dispute Resolution Commission maintains a list of certified superior court mediators at [www.ncdrc.org](http://www.ncdrc.org). Click on "List of Mediators" from the left-hand menu then click on "Mediated Settlement Conference Program." You may search for mediators by name or by judicial district. Once a mediator's name appears on your screen, click on it for a complete contact and availability listing.

 **SECTION 2 - MOTION FOR COURT APPOINTMENT OF MEDIATOR**

The above named case was referred to a mediated settlement conference.

After a full and frank discussion, the parties have been unable to agree upon the selection of a mediator and move the Senior Resident Superior Court Judge to appoint a certified mediator to conduct their conference.

Date Name Of Plaintiff's Attorney (Or Pro Se Plaintiff) Signature Of Plaintiff's Attorney (Or Pro Se Plaintiff)

Original-File Copy-Senior Resident Superior Court Judge or his/her designee  
Copy-Plaintiff Copy-Defendant Copy-Mediator

**ORDER OF APPOINTMENT**

The parties having reported their failure to agree upon the selection of a mediator or the parties having failed to notify the Court of their selection or nomination of a mediator within twenty-one (21) days after this case was ordered to mediation, the Court appoints the following certified mediator to conduct the mediated settlement conference.

Name And Address Of Certified Mediator

Telephone No.

FAX No. (if applicable)

Mediator's Email Address

**NOTICE TO MEDIATOR:** The mediator shall be responsible for reserving a place and making arrangements for the conference and giving timely notice to all attorneys and unrepresented parties of the time and location of the conference. The mediated settlement conference shall be completed by the completion deadline set forth above, and the mediator shall report the results of the conference to the Court within ten (10) days after the conference is completed.

Date Name Of Senior Resident Superior Court Judge (Type Or Print) Signature Of Senior Resident Superior Court Judge

**TENTATIVE CALENDARING NOTICE**

[This section is optional, to be used at the discretion of the Senior Resident Superior Court Judge; however, mediated settlement shall not delay other proceedings, including trial (Rule 3E).]

Parties are notified of the following tentative calendaring schedule adopted by the Court. Final calendar notices will be provided through a published calendar, should settlement not be reached.

Tentative Date For Hearing Of Motion

**CERTIFICATE OF SERVICE**

I certify that a copy of this Designation Of Mediator In Superior Court Civil Action was served as follows:

**On the Plaintiff** (name plaintiff) \_\_\_\_\_, on (give date) \_\_\_\_\_ by
[ ] depositing a copy in a post-paid properly addressed envelope in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to [ ] the plaintiff at the address listed above. [ ] the plaintiff's attorney at the following address: \_\_\_\_\_
[ ] Other: \_\_\_\_\_

**On Defendant 1**, (name defendant) \_\_\_\_\_, on (give date) \_\_\_\_\_ by
[ ] depositing a copy in a post-paid properly addressed envelope in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to [ ] the defendant at the address listed above. [ ] the defendant's attorney at the following address: \_\_\_\_\_
[ ] Other: \_\_\_\_\_

**On Defendant 2**, (name defendant) \_\_\_\_\_, on (give date) \_\_\_\_\_ by
[ ] depositing a copy in a post-paid properly addressed envelope in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to [ ] the defendant at the address listed above. [ ] the defendant's attorney at the following address: \_\_\_\_\_
[ ] Other: \_\_\_\_\_

**On Court-Appointed Mediator**, (name mediator) \_\_\_\_\_, on (give date) \_\_\_\_\_ by
[ ] depositing a copy in a post-paid properly addressed envelope in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to the following address: \_\_\_\_\_

**On Party-Selected Mediator**, (name mediator) \_\_\_\_\_, on (give date) \_\_\_\_\_ by
[ ] depositing a copy in a post-paid properly addressed envelope in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to the following address: \_\_\_\_\_

Signature

[ ] Trial Court Administrator's Staff
[ ] Judge's Staff